

Remarks

Claims 1-45 have been canceled.

Claims 3-5, 13-15, 20-44 and SEQ ID NO: 12 and 34 have been canceled as they were drawn to a nonelected invention.

New claims 46-52 have been added to address the issues raised under 35 USC §112, second paragraph, that the claims were indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

The pending claims now recite all or part of SEQ ID NO:13 and are believed to more clearly differentiate between the target or endogenous RNA and the RNA produced by the recombinant construct. It is believed that no new matter has been added.

Withdrawal of the rejection of the claims under 35 USC §112, second paragraph, is respectfully requested in view of the above amendments and discussion.

Claims 8-10 and 18-20 were rejected under 35 USC §112, first paragraph, as not being enabling for methods of reducing expression of a target RNA in a host or host cell in vivo (whole organism) in a vertebrate organism.

New claims 46-52 recite only soybeans. Support for this can be found throughout the specification and at least on pages 9 and 10 of the specification. Thus, no new matter has been added. Withdrawal of the rejection of the claims under 35 USC §112, first paragraph, is respectfully requested.

Claims 1, 2, 6-12 and 16-19 were rejected under 35 USC §102(b) and (e) as being anticipated by Thompson (US Patent No. 5, 902,880 and US Patent No. 6,146,886, respectively). It is respectfully submitted that this ground of rejection has been rendered moot by virtue of the claim amendments set forth above.

It is respectfully submitted that the claims are now in form for allowance, which allowance is respectfully requested.

A correction of inventorship accompanies this Response After Final. This correction was necessitated by the cancellation of claims drawn to a nonelected invention.

Please charge any fees or credit any overpayment of fees which are required in connection with the filing of this Response After Final to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



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